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David H. Brinkman, Reg. No. 40,532

10/12/05  
Date

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OFFICE

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ronald R. Weiss  
Serial No.: 10/689,397  
Filed: October 20, 2003  
Art Unit: 1761  
Confirmation No.: 2876  
Examiner: Becker, Drew E.  
Title: **CONTROL METHODS FOR POPPING POPCORN**  
Atty Docket: GME-131C

Cincinnati, Ohio 45202

October 12, 2005

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR REFUND OF TERMINAL DISCLAIMER**

Applicant's counsel's Deposit Account No. 23-3000 was charged \$130.00 on September 7, 2005 for a Terminal Disclaimer. However, no Terminal Disclaimer has been filed in the present application so the \$130.00 charge is a mistake. While Applicant's After Final Amendment mailed on September 6, 2005 inadvertently contained a statement on Page 6 that a disclaimer fee should be

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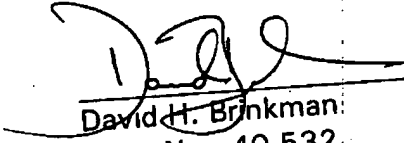
charged to Deposit Account No. 23-3000 upon acceptance of the disclaimer, that disclaimer was not filed. Rather, the obviousness-type double patenting rejection was traversed. Accordingly, Applicant is entitled to a refund in the amount of

\$130.00 for the Terminal Disclaimer that was never filed.

Applicant respectfully requests a refund in the amount of \$130.00 to be credited to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
David H. Brinkman  
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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Drew E. Becker whose telephone number is (571) 272-1396 and centralized facsimile number is (571) 273-8300 on September 6, 2005.

  
David H. Brinkman, Reg. No. 40,5329/6/05  
Date**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ronald R. Weiss  
Serial No.: 10/689,397  
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Group Art Unit: 1761  
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September 6, 2005

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AFTER FINAL AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.
2.   X   Small Entity status is claimed.  
       Other than a Small Entity.
3. The fee has been calculated as shown below:

09/07/2005 CNGUYEN 00000022 233000 10689397

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01 FC:1814 130.00 DA

Adjustment Date: 11/22/2005 SDIRETA1

09/07/2005 CNGUYEN 00000022 233000 10689397

01 PAGE 2/11 \* RCVD AT 09/20/05 5:53:04 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXF-627 \* DNIS:2738300 \* CSID:513 241 6234 \* DURATION (mm-ss):02-26